

MAYOR AND COUNCIL ADMINISTRATIVE ACTION REPORT AND SUMMARY

MAYOR AND COUNCIL - REGULAR MEETING
JANUARY 14, 2002

FROM: CITY MANAGER _____

1. ROLL CALL: 7:37 P.M.

COUNCIL MEMBERS PRESENT: Mayor Robert E. Walkup, Vice-Mayor Carol West, Council Members Jose J. Ibarra, Kathleen Dunbar, Shirley C. Scott, Steve Leal, and Fred Ronstadt, Kathleen S. Detrick, City Clerk

STAFF MEMBERS: James Keene, City Manager
Mike Letcher, Deputy City Manager
Michael House, City Attorney

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Pastor Keith Huffman, Flowing Wells Baptist Church, after which the Pledge of Allegiance was presented by the entire assembly.

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<p>3. CITY MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS JAN14-02-25</p> <p>City Manager, James Keene, announced that Council Member Shirley Scott was named "Public Official of the Year" at SAHBA's Annual Conference of Excellence.</p>	
<p>4. CALL TO THE AUDIENCE, FOR PERSONS DESIRING TO SPEAK</p> <p>a. Brenda Aguirre thanked the Mayor and Council for the services of Dan Felix and Glenn Dixon and expressed appreciation for Debra Noon who is a Recreation teacher.</p> <p>b. Liandre Giordano (representing 35 parents) also thanked the Mayor and Council for the assistance of Dan Felix and Glenn Dixon and their willingness to modify the Parks and Recreation classes to accommodate them.</p> <p>c. Ray Figueroa addressed the Mayor and Council and requested a portion of the ½ cent sales tax for Transportation be dedicated to bus maintenance.</p> <p>d. Richard Cook addressed the Mayor and Council with workload concerns related to budget limitations.</p>	

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<p>5. <u>C O N S E N T A G E N D A</u></p> <p>*****ITEMS “T”, “J”, AND “K” WERE DELETED FROM THE CONSENT AGENDA *****</p> <p>A. DEVELOPMENT AGREEMENT: WITH CAMP FIRE USA, SOUTHERN ARIZONA COUNCIL, TO CONSTRUCT A SKATEBOARD FACILITY IN SANTA RITA PARK – JAN14- 02-37</p> <p>RESOLUTION NO. 19099</p>	<p><u>DIR. OF PARKS & RECREATION</u></p>
<p>B. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR LIGHTING OF LITTLE LEAGUE FIELD #5 AT MORRIS K. UDALL PARK – JAN14-02-23</p> <p>RESOLUTION NO. 19098</p>	<p><u>DIR. OF PARKS & RECREATION</u></p>
<p>C. REAL PROPERTY: SALE OF 425 NORTH DODGE BOULEVARD TO LA FRONTERA CENTER, INC. – JAN14- 02-22</p> <p>ORDINANCE NO. 9656</p>	<p><u>DIR. OF TRANS</u></p>
<p>D. CITY CLERK: AUTHORIZATION FOR REGISTRATION OF THE SERVICE MARK USED BY THE TUCSON POLICE DEPARTMENT – JAN14-02-21</p>	<p><u>CITY CLERK</u></p>
<p>E. REAL PROPERTY: EXTENSION OF AGREEMENT WITH BARRIO VIEJO ELDERLY HOUSING, INC. REGARDING THE DRACHMAN SCHOOL PROPERTY – JAN14-02-36</p> <p>ORDINANCE NO. 9657</p>	<p><u>DIR. OF COMM. SERVICES</u></p>
<p>F. FINANCE: CONTINGENCY FUND TRANSFER FOR THE 2001 TUCSON RESILIENCY CONFERENCE – JAN14-02-45</p> <p>RESOLUTION NO. 19100</p>	<p><u>DIR. OF BUDGET AND RESEARCH</u></p>

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<p>G. FINANCE: CONTINGENCY FUND TRANSFER FOR THE USS TUCSON 770 CLUB – JAN14-02-44</p> <p>RESOLUTION NO. 19101</p>	<p><u>DIR. OF BUDGET AND RESEARCH</u></p>
<p>H. FINANCE: CONTINGENCY FUND TRANSFER FOR OPERATION SAFE TUCSON FORUM – JAN14-02-43</p> <p>RESOLUTION NO. 19102</p>	<p><u>DIR. OF BUDGET AND RESEARCH</u></p>
<p>Council Member Ibarra MOVED, SECONDED by Council Member Scott that items on the Consent Agenda (Except “I”, “J” and “K”) be approved and/or adopted and proper action taken.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p>	
<p>I. FINANCE: CONTINGENCY FUND TRANSFER FOR THE FESTIVAL OF HOPE 2001 – JAN14-02-42</p> <p>RESOLUTION NO. 19103</p> <p>Vice-Mayor West MOVED, SECONDED by Council Member Ibarra to pass Resolution No. 19103 with the funding contribution split three ways between Wards 2, 6 and the Mayor.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p>	<p><u>DIR.OF BUDGET AND RESEARCH</u></p>
<p>J. FINANCE: CONTINGENCY FUND TRANSFER FOR COMMUNITY TRANSPORTATION OF SOUTHERN ARIZONA – JAN14-02-41</p> <p>RESOLUTION NO. 19104</p> <p>Council Member Leal MOVED, SECONDED by Council Member Scott to pass Resolution No. 19104 with the additional contribution of \$2,143 from Ward 5.</p>	<p><u>DIR. OF BUDGET AND RESEARCH</u></p>

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J. FINANCE: CONTINGENCY FUND TRANSFER FOR
COMMUNITY TRANSPORTATION OF SOUTHERN
ARIZONA – JAN14-02-41 (CONT'D)

Council Member Ibarra amended the motion to add a \$2,142
contribution from Ward 1 for a total of \$15, 000.

Motion, as amended, PASSED by a vote of 7 to 0.

6. LIQUOR LICENSE APPLICATIONS – JAN14-02-28

EAST SIDE TAVERN, CITY # 126-01
EAST SIDE TAVERN, CITY # 127-01
UNIVERSITY OF ARIZONA FOUNDATION FBO ARIZONA
CANCER CENTER, CITY # T138-01

Vice-Mayor West MOVED, SECONDED by Council Member Ronstadt
that staff be directed to forward these applications to the State Liquor
Board with recommendations for approval.

Motion PASSED by a vote of 7 to 0.

(b)(1) IN N OUT MARKET, CITY # 125-01

Council Member Leal MOVED, SECONDED by Vice-Mayor West that
staff be directed to forward this application to the State Liquor Board
with a recommendation for denial.

Motion PASSED by a vote of 7 to 0.

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7. REQUEST FOR SPECIAL EXCEPTION LAND USE: (SE-01-28)
HOME DEPOT – BROADWAY, C-1 AND C-2, ZONING
EXAMINER'S REPORT – JAN14-02-31

Vice-Mayor West MOVED, SECONDED by Council Member Scott to

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<p>approve the request for a special exception land use subject to conditions listed in the City Manager's recommendation.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p>	
<p>8. ZONING: (C9-78-36) WESTCOR, INC. – BROADWAY, SR TO B-1 (NOW C-1), CHANGE OF CONDITIONS AND PRELIMINARY DEVELOPMENT PLAN, ORDINANCE ADOPTION – JAN14-02-34</p> <p>ORDINANCE NO. 9655</p> <p>Vice-Mayor West MOVED, SECONDED by Council Member Scott to approve the change of conditions and preliminary development plan and pass and adopt Ordinance No. 9655.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p> <p>Vice-Mayor West commented that the Planning Department should conduct a workshop for the Design and Review Board on the Big Box Ordinance.</p>	<p><u>DIR. OF PLANNING</u></p> <p><u>DIR. OF PLANNING</u> Is informed</p>
<p>9. ZONING: (C9-87-50) CIENEGA, LTD. – BROADWAY, SR TO R-2 AND C-1, CHANGE OF CONDITIONS AND PRELIMINARY DEVELOPMENT PLAN, ORDINANCE ADOPTION – JAN14-02-30</p> <p>ORDINANCE NO. 9654</p> <p>Vice-Mayor West MOVED, SECONDED by Council Member Scott to approve the requested change of conditions and preliminary development plan and pass and adopt Ordinance No. 9654.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p>	<p><u>DIR. OF PLANNING</u></p>
<p>10. ZONING: (C9-00-39) MAR & ROTHSCHILD & YOUNG – BROADWAY, SR AND R-2 TO C-1 AND C-2, CHANGE OF CONDITIONS, PRELIMINARY DEVELOPMENT PLAN AND ORDINANCE ADOPTION – JAN14-02-35</p>	<p><u>DIR. OF PLANNING</u></p>

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<p>ORDINANCE NO. 9653.</p> <p>Vice-Mayor West MOVED, SECONDED by Council Member Scott to approve the requested change of conditions and preliminary development plan and pass and adopt Ordinance No. 9653.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p>	
<p>11. ZONING: - (C9-01-27) WINGED FOOT – TUCSON BOULEVARD, R-1 AND R-2 TO P, ZONING EXAMINER’S REPORT – JAN14-02-29</p> <p>Council Member Ronstadt MOVED, SECONDED by Council Member Scott to approve the request for rezoning from R-1 and R-2 to P subject to conditions listed in the City Manager’s recommendation.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p>	<p><u>DIR. OF PLANNING</u></p>
<p>12. ZONING: (C9-01-26) KB HOMES – COLUMBUS BOULEVARD, RX-1 AND C-1 TO R-2, ZONING EXAMINER’S REPORT – JAN14-02-32</p> <p>Council Member West MOVED, SECONDED by Council Member Scott to approve the request for rezoning from RX-1 and C-1 to R-2 subject to conditions listed in the City Manager’s recommendation with a new Condition #3 as follows:</p> <p>3. Prior to the issuance of any residential building permits an alignment for the entire spine road connecting to Alvernon Way shall be approved by the City Engineer and a performance bond or other assurances approved by the City Engineer shall be provided for the acquisition of right of way and construction of the western extension of the spine road to connect to Alvernon Way. The City may exercise its eminent domain authority to acquire necessary right of way provided that all expenses and fees are reimbursed. The City may also condition future developments on property served by the spine road on contributions to apportion the costs for completion of the spine road. Prior to the release of assurances for any residential units the spine road shall be completed within the subject property.</p>	<p><u>DIR. OF PLANNING</u></p>

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<p>Motion <u>PASSED</u> by a vote of 7 to 0.</p>	
<p>K. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR THE STARR PASS RESORT ANNEXATION DISTRICT – JAN14-02-38</p> <p>RESOLUTION NO. 19015</p> <p>Council Member Ronstadt MOVED, SECONDED by Vice-Mayor West to pass and adopt Resolution No. 19015.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 1 (Council Member Ibarra dissenting).</p>	<p><u>CITY MANAGER'S OFFICE</u></p>
<p>13. PRE-ANNEXATION AND DEVELOPMENT AGREEMENT: WITH STARR PASS RESORT LIMITED LIABILITY CO. IN THE PROPOSED STARR PASS ANNEXATION DISTRICT – JAN14-02-39</p> <p>RESOLUTION NO. 19106</p> <p>Council Member Ronstadt MOVED, SECONDED by Vice-Mayor West to pass and adopt Resolution No. 19106.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 1 (Council Member Ibarra dissenting).</p>	<p><u>ANNEXATION</u></p>
<p>14. PUBLIC HEARING: PROPOSED STARR PASS RESORT ANNEXATION DISTRICT – JAN14-02-40</p> <p>Council Member Ronstadt MOVED, SECONDED by Council Member Leal to close the public hearing.</p>	<p><u>ANNEXATION</u></p>

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<p>Motion <u>PASSED</u> by a vote of 7 to 0.</p> <p>Council Member Ronstadt MOVED, SECONDED by Council Member Scott to direct staff to proceed with the proposed Starr Pass Resort Annexation District as presented.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 1 (Council Member Ibarra dissenting).</p>	
<p>15. PUBLIC HEARING: MAJOR STREETS AND ROUTES PLAN AMENDMENT – STONE AVENUE, DRACHMAN STREET TO WETMORE ROAD – JAN14-02-46</p> <p>ORDINANCE NO. 9659.</p> <p>Council Member Ronstadt MOVED, SECONDED by Vice-Mayor West to close the public hearing.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p> <p>Council Member Dunbar MOVED, SECONDED by Council Member Scott to pass and adopt Ordinance No. 9659.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p>	<p><u>DIR. OF PLANNING</u></p>
<p>16. PUBLIC HEARING: ZONING (C9-01-11) SUNNY DAY INVESTMENTS – STELLA ROAD, RX-1 TO R-1, AND ZONING EXAMINER’S REPORT – JAN14-02-26</p> <p>Council Member Ronstadt MOVED, SECONDED by Council Member Scott to close the public hearing.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p> <p>Council Member Scott MOVED, SECONDED by Council Member Ronstadt to approve the request for rezoning from RX-1 to R-1 subject to conditions listed in the City Manager’s recommendation.</p>	<p><u>DIR. OF PLANNING</u></p>

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Motion <u>PASSED</u> by a vote of 7 to 0.	
RECESS: 9:26 P.M. RECONVENE: 9:41 P.M. MAYOR AND COUNCIL: ALL PRESENT STAFF: ALL PRESENT	
<p>17. PUBLIC HEARING: TUCSON CODE – AMENDING (CHAPTER 7) RELATING TO THE REGULATION AND ENFORCEMENT OF DANCE HALLS (CONT'D FROM THE MEETING OF SEPTEMBER 10, 2001) – JAN14-02-33</p> <p>ORDINANCE NO. 9658</p> <p>Council Member Ronstadt MOVED, SECONDED by Council Member Scott to close the public hearing.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p> <p>Council Member Ronstadt MOVED, SECONDED by Council Member Scott that staff create a checklist or packet for those applying for Dance Hall permits to ensure proper compliance and to pass and adopt Ordinance No. 9658; in addition, staff should also schedule a future agenda item to explore the possibility of grandfathering in those clubs located within the 500-foot limit.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p>	<u>POLICE CHIEF</u>
18. PUBLIC HEARING: TUCSON CODE (CHAPTER 19) AMENDING THE TUCSON PRIVILEGE TAX CODE, AS OUTLINED IN THE SUMMARY OF THE PROPOSED 2002 MODEL CITY TAX CODE CHANGES – JAN14-02-24	<u>DIR. OF FINANCE</u>

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ORDINANCE NO. 9652

Vice-Mayor West MOVED, SECONDED by Council Member Scott to close the public hearing.

Motion PASSED by a vote of 7 to 0.

Vice-Mayor West MOVED, SECONDED by Council Member Scott to pass and adopt Ordinance No. 9652.

Motion PASSED by a vote of 7 to 0.

19. APPOINTMENTS TO BOARDS, COMMISSIONS AND
COMMITTEES – JAN14-02-27

Council Member Dunbar MOVED, SECONDED by Council Member Ronstadt that Mayor and Council:

reappoint Corky Poster (Miles Neighborhood), Michael Teske (Miles Neighborhood), Steve H. Chase (Miles Neighborhood), Chris D. Montgomery (Mile Neighborhood), Guy F. Ferro (TUSD), Barbara Kelly (Barrio San Antonio Neighborhood), Greg Yares (Barrio San Antonio Neighborhood), Peter G. McCallum (Barrio San Antonio Neighborhood) and Lorraine Aguilar (Barrio San Antonio Neighborhood) to the Arroyo Chico Multi-Use Project, Citizen Advisory Committee;

appoint Vernon Watwood to the Citizens' Water Advisory Committee;

reappoint Dennis Coon, Douglas C. Jones, John F. Kostyo, Ray D. Mason, Sr. and Logan T. White to the Electrical Code Committee;

reappoint Ron Kamyniski and Jim Kazal to the Fire Code Review Committee;

appoint Leigh M. Robinson (Environment) to the Sign Code Advisory and Appeals Board; and

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appoint Robert J. Smolinsky (Civil Engineer), John S. Wise (Civil Engineer), E. Linwood Smith (Environmental Consultant), Linda Morales (Land Use Planner), Dr. John Parker (Water Resources Scientist), Will Turner (Wash Preservation Advocate), John Wallace (Surface/Water Hydrologist / Water Quality Specialist) and Dr. Soroosh Sorooshian (Surface Water Hydrologist / Water Quality Specialist) to the Stormwater Advisory Committee (SAC).

Motion PASSED by a vote of 7 to 0.

Council Member Scott announced her personal appointment of Mary Webber to the Tucson-Pima County Metropolitan Energy Commission.

Council Member Dunbar announced her personal appointment of Jonathan Hoffman to the Tucson/Pima County Bicycle Advisory Committee.

19. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES – JAN14-02-27 (CONT'D)

Council Member Leal announced his personal appointment of Brad Holland to the Citizen Sign Code Committee.

Vice-Mayor West encouraged her fellow Council Members to make appointments to the Solid Waste Committee.

20. CALL TO THE AUDIENCE

No speakers.

21. ADJOURNMENT: 10:13 P.M.

The next scheduled meeting of the Mayor and Council will be held on Monday, January 28, 2002, at 7:30 p.m. in the Graham/Greenlee Rooms, Tucson Convention Center, 260 South Church, Tucson, Arizona.